

**BEFORE THE NATIONAL GREEN TRIBUNAL,(SZ), SITTING
AT CHENNAI**

OA No. 132 of 2020

Agatti Island Kera Karshaka Sanghom Applicant

Vs.

Union of India & others Respondents

OBJECTION FILED BY THE RESPONDENTS 3 & 4

S. MANU
Senior Central Government Standing Counsel
for the Lakshadweep Administration

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I, Shakeel Ahmed M.K, S/o Ali Hassan.D, aged 48 years, Deputy Director, S & T, now holding the charge of Administrative Officer, Lakshadweep Administration Office, Kochi, do hereby solemnly affirm and state as under: -

1. I am the Authorised Officer of respondents 3 & 4 in the above O.A. I am fully conversant with the facts and circumstances of the above case as revealed from the relevant files and records. I am swearing to this objection for and on behalf of respondents as I am competent and duly authorised for the same.

2. As directed by this Hon'ble Tribunal, the Joint Committee conducted inspection in the Agatti Island on 5.1.2021 and has submitted the report. It is submitted that the findings, observations and suggestions of the committee with respect to the issues directed to be assessed and reported by this Hon'ble Tribunal are perfectly correct and these respondents have no objections regarding the same. However the committee, going beyond the matters to be assessed and reported, has made some observations in point No.D, with regard to taking of yield from the coconut trees in the accreted lands vested with the government.


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The committee has stated that the local people were taking yields from the coconut trees cut and removed for the construction of the road. This observation has been made without any factual verifications. The yield from the coconut trees in accreted lands vested with the government in all islands is collected by the department of Revenue either directly or through contractors. In Agatti Island also the Revenue Department has been collecting the yield from the coconut trees in the accreted lands vested with the government. The joint committee has not verified this fact at the time of its inspection from the concerned officials and has made observations in this regard without any factual verification. Hence the observations regarding obtaining yields from the coconut trees may be rejected by this Hon'ble Tribunal.

3. Similarly in the conclusions and final remarks at point No.F the committee has suggested for planting additional coconut trees so that the local people can be benefited with some additional income in future. This suggestion is beyond the mandate of the committee. Moreover nobody can be permitted to take yield from the trees in the accreted lands vested with the government. Such steps will give rise to claims over the government lands in future which is against the larger public interest. The second suggestion at point No.F to explore the possibility to protect traditional fishing rights is also beyond the mandate of the committee and may give rise to claims over the government properties if accepted and acted upon. Therefore the suggestions at point No.F may not be accepted by this Hon'ble Tribunal.

4. It is most humbly submitted that the committee has made a through verification during its inspection about the matters referred to


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it by this Hon'ble Tribunal and after a proper analysis has come to correct conclusions with regard to those aspects. Hence except to the extent pointed out in the previous paragraphs, the report is perfectly correct and the conclusions and suggestions A to E may kindly be accepted by this Hon'ble Tribunal and the OA may be rejected in the light of the findings of the committee.

What is stated above is true and correct to the best of my knowledge, information and belief.

Dated this the 18th day of August, 2021



DEPONENT

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Solemnly affirmed by the deponent, who is personally known to me, in my office at Ernakulam, on this the 18th day of August, 2021



S. MANU
SCGSC